



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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August 20, 2013

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO *RHG*
Assistant County Counsel
Law Enforcement Services Division

RE: M.L., a minor, et al. v. County of Los Angeles, et al.
Norwalk Superior Court Case Nos. VC058338; VC058936; and
VC058446

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of September 3, 2013.

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled M.L., a minor, et al. v. County of Los Angeles, et al., Norwalk Superior Court Case Nos. VC058338; VC058936; and VC058446 in the amount of \$311,500, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of excessive force shooting by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	M.L., a minor v. County of Los Angeles; E.P.; a minor v. County of Los Angeles; and A.L., a minor v. County of Los Angeles
CASE NUMBER	Superior Court Case Nos. VC058338; VC058936; and VC058446
COURT	Los Angeles Superior Court
DATE FILED	Complaint filed: March 22, 2011 Claim: October 29, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$311,500
ATTORNEY FOR PLAINTIFF	Brian Dunn, Esq. of The Cochran Firm Peter Goldstein, Esq. Marc Grossman, Esq.
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>This is a recommendation to settle for \$311,500, the lawsuit filed by minors M.L., E.P., and A.L., and Janice Johnson, for the alleged wrongful death of their father and son Jerome Lockett. Plaintiffs allege civil rights violations and wrongful death causes of action against two Deputy Sheriffs.</p> <p>The Deputies contend that they acted reasonably and fired upon the Decendent after he failed to</p>

follow commands to show his hands, and instead reached for his waistband. However, due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$311,500 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	102,509.87
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PAID COSTS, TO DATE	\$	5,274.59
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Case Name: M.L., a minor v. County of Los Angeles



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of Incident/event:	Wednesday, June 16, 2010; approximately 9:31 p.m.
Briefly provide a description of the Incident/event:	<p><u>M.L., a minor v. County of Los Angeles</u> Summary Corrective Action Plan No. 2013-017</p> <p>On Wednesday, June 16, 2010, at approximately 9:31 p.m., two Los Angeles County deputy sheriffs, assigned to the Los Angeles County Sheriff's Department's Lakewood Station, received a radio call of gunshots in an apartment complex.</p> <p>When the deputies arrived at the apartment complex, they were directed by the caller to the rear parking lot where the shooting suspects were believed to have fled. In the parking lot, the deputies contacted the decedent and another man. Both men were wearing clothing similar to the clothing worn by the reported shooter(s).</p> <p>While one man readily complied with the deputy sheriff's instructions, the decedent acted as if he was arming himself. In fear for his life, a deputy sheriff discharged his weapon one time and struck the decedent in the chest.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In their lawsuit, the plaintiffs (the decedent's three minor children and mother) alleged the decedent was subjected to unreasonable force by a member of the Los Angeles County Sheriff's Department.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.


This incident was thoroughly reviewed by the members of the Los Angeles County Sheriff's Department's Executive Force Review Committee. While their review found that the force used by the deputy sheriff was reasonable, necessary, and in compliance with Department policy, appropriate administrative action was imposed upon two members of the Los Angeles County Sheriff's Department.


County of Los Angeles
Summary Corrective Action Plan

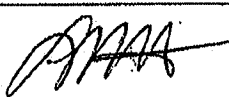
3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Judy A. Gerhardt, Acting Captain Risk Management Bureau	
Signature: 	Date: 7/10/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 7/12/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO COSTANTINO	
Signature: 	Date: 8/5/13